

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARY ANN ROBINSON and	:	
DANIEL ROBINSON, husband and wife	:	CIVIL ACTION
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
NATIONWIDE MUTUAL INSURANCE	:	
COMPANY, s/b/m HARLEYSVILLE	:	
MUTUAL INSURANCE	:	NO. 12-5065
COMPANY, et. al.	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 26th day of *February*, 2013, upon consideration of **(1)** Defendant Erie Insurance Company's Motion to Dismiss Counts V and VI of the Second Amended Complaint (Docket No. 39) and Plaintiffs Mary Ann Robinson and Daniel Robinson's Response in Opposition (Docket No. 46); **(2)** Defendant S.W. Krout Inc.'s Motion to Dismiss Claims for Punitive Damages (Docket No. 40) and the Robinsons' Response in Opposition (Docket No. 45); and **(3)** Defendant Nationwide Mutual Insurance Company's Motion to Bifurcate (Docket No. 42), the Robinsons' Response in Opposition (Docket No. 55), Defendant Krout's Response in Opposition (Docket No. 54), and Nationwide's Reply Brief (Docket No. 56), it is hereby **ORDERED** as follows:

1. Erie's Motion to Dismiss is **DENIED**.
2. Nationwide's Motion to Bifurcate is **DENIED**.
3. S.W. Krout's Motion to Dismiss Claims for Punitive Damages is **GRANTED**.

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.